

PATENT
Attorney Docket No. 97-3-804CON1

CERTIFICATION UNDER 37 CFR 1.10

Mary E. Anza
(typed or printed name of person mailing paper)

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(Signature of person mailing paper)

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of the above application, please amend this application as follows:

IN THE CLAIMS:

Please cancel claims 1-4, 6-11, 13, and 14, and amend claims 5 and 12 as follows:

5. (Amended) A method for enhancing the capacity of a CDMA cellular carrier supporting traffic from a plurality of users, including a plurality of voice users and a plurality of multi-code data users, each user having an adjustable received power level, and the plurality of voice users having a fixed quality of service requirement, the method comprising the steps of:

setting a quality of service requirement for the plurality of data users based on the traffic from the plurality of users and the voice user quality of service requirement;

adjusting the received power level of each of the plurality of voice users so that their received power levels are identical;

adjusting the received power level of each of the plurality of data users so that their received power levels are identical to the received power levels of the plurality of voice users;

decreasing the received power level of each of the plurality of data users until their quality of service requirement is satisfied; and

adjusting the quality of service requirement for the plurality of data users in response to a request from a new user to access the cellular carrier.

12. (Amended) A computer-readable medium containing instructions for enhancing the capacity of a CDMA cellular carrier supporting traffic from a plurality of users, including a plurality of voice users and a plurality of multi-code data users, each user having an adjustable received power level, and the plurality of voice users having a fixed quality of service requirement, by:

setting a quality of service requirement for the plurality of data users based on the traffic from the plurality of users and the voice user quality of service requirement;

adjusting the received power level of each of the plurality of voice users so that their received power levels are identical;

adjusting the received power level of each of the plurality of data users so that their received power levels are identical to the received power levels of the plurality of voice users;

decreasing the received power level of each of the plurality of data users until their quality of service requirement is satisfied; and

adjusting the quality of service requirement for the plurality of data users in response to a request from a new user to access the cellular carrier.

REMARKS

Applicants cancel claims 1-4, 6-11, 13, and 14, and amend claims 5 and 12. Claims 5 and 12 are currently pending. For the convenience of the Examiner, these claims with brackets relative to the filed claims appear in the Appendix. Applicants believe the pending claims are patentable over the prior art of record, and respectfully request the early examination and allowance of these claims.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 07-2339.

Respectfully submitted,

Dated: 6/15/2001

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APPENDIX

5. (Amended) A method for enhancing the capacity of a CDMA cellular carrier supporting traffic from a plurality of users, including a plurality of voice users and a plurality of multi-code data users, each user having an adjustable received power level, and the plurality of voice users having a fixed quality of service requirement, the method comprising the steps of:

setting a quality of service requirement for the plurality of data users based on the traffic from the plurality of users and the voice user quality of service requirement;

adjusting the received power level of each of the plurality of voice users so that their received power levels are identical;

adjusting the received power level of each of the plurality of data users so that their received power levels are identical to the received power levels of the plurality of voice users;

decreasing the received power level of each of the plurality of data users until their quality of service requirement is satisfied; and

adjusting the quality of service requirement for the plurality of data users in response to a request from a new [data] user to access the cellular carrier.

12. (Amended) A computer-readable medium containing instructions for enhancing the capacity of a CDMA cellular carrier supporting traffic from a plurality of users, including a plurality of voice users and a plurality of multi-code data users, each user having an adjustable received power level, and the plurality of voice users having a fixed quality of service requirement, by:

setting a quality of service requirement for the plurality of data users based on the traffic from the plurality of users and the voice user quality of service requirement;

adjusting the received power level of each of the plurality of voice users so that their received power levels are identical;

adjusting the received power level of each of the plurality of data users so that their received power levels are identical to the received power levels of the plurality of voice users;

decreasing the received power level of each of the plurality of data users until their quality of service requirement is satisfied; and

adjusting the quality of service requirement for the plurality of data users in response to a request from a new [data] user to access the cellular carrier.